

STATE OF MAINE
DISTRICT COURT

EMERGENCY ORDER REGARDING HEARINGS CONDUCTED
PURSUANT TO TITLE 34-B, SECTIONS 3864 AND 3873-A

In light of public health concerns arising from the novel coronavirus (COVID-19) and the need for psychiatric hospitals to adopt new policies and procedures to ensure the safety of staff, patients, and all visitors, **effective immediately**, and until further order of the court, all mental health hearings scheduled in District Court pursuant to Title 34-B, sections 3864 and 3873-A, may be conducted via videoconference utilizing a system that allows attorneys, examiners, and other interested parties the option to appear remotely without having to be physically present either at the psychiatric hospital or courthouse.

The Judicial Branch is aware that, as of the time of this order, not all psychiatric hospitals and District Courts will have fully established the necessary connections to implement such a videoconference system and that some attorneys, examiners, or other interested parties may not personally have the technologies to engage in videoconferencing. Although videoconferencing is strongly preferred, in the limited instances where such a system is not fully established or accessible, then the mental health hearings may be conducted using a hybrid videoconference-telephonic approach where possible that allows for the parties and witnesses be both seen and heard. Where appropriately safe, the District Court may also permit attorneys, examiners, or other interested parties to appear in person at the courthouse. Such requests for videoconference or for personal appearance at the courthouse can be made without motion and directed to the Clerk of the District Court via email. In all cases, the hearings shall be conducted in a manner sufficient to comport with due process requirements.

SO ORDERED.

Dated: 03/27/2020

_____/s/_____
Susan Sparaco, Chief Judge
Maine District Court

_____/s/_____
Jed French, Deputy Chief Judge
Maine District Court